

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

VERONICA RAMIREZ,

Plaintiff,

v.

No. 20-cv-0824 MV/SMV

**JOSEPH J. MARTINEZ, EBETH CRUZ-MARTINEZ,
MARIANNA VIGIL, and ROBERT GONZALES,**

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART
PLAINTIFF'S MOTION TO EXTEND SCHEDULING ORDER DEADLINES**

THIS MATTER is before the Court on Plaintiff's Motion to Extend Scheduling Order Deadlines [Doc. 89], filed March 1, 2022. No party responded in opposition, and the time for doing so has passed. The Court will grant the Motion in part and deny it in part. Any and all deadlines not explicitly amended herein remain in effect. *See, e.g.*, Scheduling Order [Doc. 53]. This extension of deadlines makes moot Defendant Robert Gonzales's Motion to Extend Dispositive Motions Deadline [Doc. 91], filed on March 10, 2022.

IT IS ORDERED that Plaintiff's Motion to Extend Scheduling Order Deadlines [Doc. 89] be **GRANTED IN PART and DENIED IN PART** and the Scheduling Order [Doc. 53] be **AMENDED** as follows:

Motions relating to discovery filed by:¹

May 28, 2022

¹ See D.N.M.LR-Civ. 7 for motion practice requirements and timing of responses and replies. The discovery motions deadline does not extend the 21-day time limit in D.N.M.LR-Civ. 26.6 (Party served with objection to discovery request must file motion to compel within 21 days of service of objection. Failure to file motion within 21 days constitutes acceptance of the objection.).

Pretrial motions other than discovery motions² filed
by:

June 10, 2022

Proposed Pretrial Order due from Plaintiff to
Defendant by:

Vacated

Proposed Pretrial Order due from Defendant to
Court by:³

Vacated

IT IS FURTHER ORDERED that the request to set a deadline for discovery directed to Defendant Martinez, [Doc. 89] at 4, be **DENIED** at this time. [Doc. 50] at 6 (staying discovery addressed to Defendant Martinez). The pending Motion to Lift Discovery Stay as to Defendant Martinez [Doc. 88] will be decided in due course.

IT IS FURTHER ORDERED that Defendant Martinez be reminded of his duty to file a notice **every three months**, updating the Court on the status of the criminal proceedings.⁴ [Doc. 50] at 6. The most recent notice was filed February 16, 2022. [Doc. 84]. Accordingly, the next is due no later than **May 16, 2022**.

IT IS FURTHER ORDERED that Defendant Robert Gonzales' Motion to Extend Dispositive Motions Deadline [Doc. 91] be **DENIED as moot**.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge

² This deadline applies to motions related to the admissibility of experts or expert testimony that may require a *Daubert* hearing, but otherwise does not apply to motions in limine. The Court will set a motions in limine deadline in a separate order.

³ The Proposed Pretrial Order must provide that no witnesses, except rebuttal witnesses whose testimony cannot be anticipated, will be permitted to testify unless the name of the witness is furnished to the Court and opposing counsel no later than 30 days prior to the time set for trial. Any exceptions thereto must be upon order of the Court for good cause shown.

⁴ When the relevant criminal trial proceedings conclude, Defendant Martinez must file a notice within **two weeks**. (He may not wait three months to update the Court.). [Doc. 50] at 6 n.9.